



41 3747
ATTORNEY DOCKET NO.: 051252-5210
Application No.: 10/014,441

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of:)
)
Farid H. MIANDOAB et al.) Confirmation No. 3706
)
Application No.: 10/014,441) Group Art Unit: 3747
)
Filed: December 14, 2001) Examiner: C. S. Miller
)
For: CORRUGATED INTERNAL FUEL)
RAIL DAMPER)

U.S. Patent and Trademark Office
220 20th Street S.
Customer Window, Mail Stop **Amendment**
Crystal Plaza Two, Lobby, Room 1B03
Arlington, VA 22202

RECEIVED
JUN 30 2004
TECHNOLOGY CENTER R3700

Sir:

**AMENDMENT AND REQUEST FOR RECONSIDERATION
UNDER 37 C.F.R. § 1.111 TRANSMITTAL FORM**

1. Transmitted herewith is an Amendment in response to the non-final Office Action dated March 25, 2004.
2. Additional papers enclosed: Replacement Drawing Sheets 1-4

- ☒ Drawings: ☒ Formal ☐ Informal
☐ Information Disclosure Statement
☐ Form PTO-1449, _____ references included
☐ Citations
☐ Declaration of Biological Deposit
☐ Submission of "Sequence Listing", computer readable copy and/or amendment pertaining thereto for biotechnology invention containing nucleotide and/or amino acid sequence.

3. Extension of Time

The proceedings herein are for a patent application and the provisions of 37 C.F.R. § 1.136(a) apply.

☒ Applicants believe that no extension of time is required. However, this conditional petition is being made to provide for the possibility that Applicants have inadvertently overlooked the need for a petition and fee for extension of time.

☐ Applicants petition for an extension of time, the fees for which are set out in 37 C.F.R. § 1.17(a), for the total number of months checked below:

<u>Total Months Requested</u>	<u>Fee for Extension</u>	<u>[Fee for Small Entity]</u>
<input type="checkbox"/> one month	\$ 110.00	\$ 55.00
<input type="checkbox"/> two months	\$ 410.00	\$ 205.00
<input type="checkbox"/> three months	\$ 930.00	\$ 465.00
<input type="checkbox"/> four months	\$ 1,450.00	\$ 725.00

Extension of time fee due with this request: \$0.00.

If an additional extension of time is required, please consider this a Petition therefor.

☐ An extension for _____ months has already been secured and the fee paid therefor of \$_____ is deducted from the total fee due for the total months of extension now requested.

4. Constructive Petition

☒ **EXCEPT** for issue fees payable under 37 C.F.R. § 1.18, the Commissioner is hereby authorized by this paper to charge any additional fees during the entire pendency of this application including fees due under 37 C.F.R. §§ 1.16 and 1.17 which may be required, including any required extension of time fees, or credit any overpayment to Deposit Account 50-0310. This paragraph is intended to be a **CONSTRUCTIVE PETITION FOR EXTENSION OF TIME** in accordance with 37 C.F.R. § 1.136(a)(3).

5. Fee Calculation (37 C.F.R. §1.16)

CLAIMS AS AMENDED						
	Claims Remaining After Amendment		Highest No. Previously Paid	Present Extra	at Rate of	Total Fees
Total Claims (37 C.F.R. §1.16(c))	34	minus	34	0	x \$18 each =	+ \$0.00
Independent Claims (37 C.F.R. §1.16(b))	8	minus	3	5	x \$86 each =	+ \$430.00
[] First presentation of Multiple dependent claim(s)					\$280.00	+ \$0.00
SUB-TOTAL =						\$430.00
Reduction by ½ for filing by a small entity						- \$0.00
TOTAL FEE =						\$430.00

6. Fee Payment

- ☐ No fee is to be paid at this time.
- ☒ The Commissioner is hereby authorized to charge the amount of \$ **430.00** for the additional claims fee to Deposit Account No. 50-0310.
- ☒ The Commissioner is hereby authorized to charge any additional fees which may be required, including fees due under 37 C.F.R. §§ 1.16 and 1.17, or credit any overpayment to Deposit Account 50-0310.

Respectfully submitted,

MORGAN, LEWIS & BOCKIUS LLP

Dated: June 24, 2004

By: 

David J. Baltazar

(Reg. No. 53,964)

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**AMENDMENT AND REQUEST FOR
 RECONSIDERATION UNDER 37 C.F.R. § 1.111**

In response to the non-final Office Action mailed **March 25, 2004**, which period for response extends through June 25, 2004, please amend the application as follows:

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